

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SUSANNE R. HURD,

Plaintiff,

v.

NEBRASKA DEPARTMENT OF HUMAN  
HEALTH SERVICES; KEN PAXON,  
Attorney General for Child Support Agency  
of Texas; and GEORGE HARWOOD,

Defendants.

**8:21CV75**

**ORDER**

This matter is before the Court on pro se plaintiff Susanne R. Hurd's (also known as Susanne Becker, "Becker") "Motion for Appeal" (Filing No. 73). The Court construes her filing as a notice of appeal. Becker originally paid the filing fee in this action, but she did not pay the separate filing fee for an appeal. It appears she may be seeking to appeal in forma pauperis. In order to proceed in forma pauperis, she must comply with Federal Rule of Appellate Procedure 24, which provides as follows:

(a) Leave to Proceed in Forma Pauperis.

(1) Motion in the District Court. Except as stated in Rule 24(a)(3), a party to a district-court action who desires to appeal in forma pauperis must file a motion in the district court. The party must attach an affidavit that:

- (A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's inability to pay or to give security for fees and costs;
- (B) claims an entitlement to redress; and
- (C) states the issues that the party intends to present on appeal.

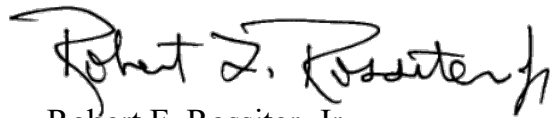
Fed. R. App. P. 24. (a)(1). Alternatively, Becker may pay the appropriate filing fee for her notice of appeal. Accordingly,

IT IS ORDERED:

1. The Clerk of Court is directed to send the appropriate form affidavit to Becker to file with her motion.
2. Becker may either (1) submit the completed affidavit to the Court within 14 days of the date of this Order, at which time the Court will consider Becker's ability to proceed in forma pauperis on appeal, or (2) pay the required filing fee for a notice of appeal.

Dated this 16th day of September 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.  
Chief United States District Judge